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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,732	11/18/2003	Joseph J. Spryshak	65858-0027	4389

10291 7590 03/28/2007
RADER, FISHMAN & GRAUER PLLC
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BLOOMFIELD HILLS, MI 48304-0610

EXAMINER

PERKEY, WILLIAM B

ART UNIT	PAPER NUMBER
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2851

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/715,732	Applicant(s) SPRYSHAK ET AL.	
	Examiner William B. Perkey	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9,11-16,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 4,10 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7-9, 11-13 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kellner (U.S. Patent No. 3,472,564).

Applicants' attention is directed to the embodiment of Fig. 4 and the corresponding written description thereof, in particular column 4 lines 31-46. Two bushings 17 are disclosed disposed in grooves in the outer circumference of the barrel 2. Elements 1 and 5, together, comprise a camera housing having a receptacle portion having a bore with an inside diameter.

3. Claims 1, 5, 6, 7, 11, 14, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwasa (U.S. Patent No. 5,831,777).

Iwasa shows a camera housing 2 in Fig 1 having a bore at reference number 2a.

Projections 1a-1c are "bushings".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kellner.

The claimed method is self evident from the disclosed apparatus of Kellner.

6. Claims 1-3, 5-9, 11-16, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (U.S. Patent No. 6,741,405 B1) in view of Nomura et al. (U.S. Patent No. 6,781,630 B2).

In Fig. 11, Chen discloses a Prior Art device that includes a camera housing that includes a receptacle portion having a bore with an inside diameter and a lens barrel that fits inside the bore. Thus, Chen shows the claimed invention except for the two bushings. Nomura et al., in Fig. 7 discloses two bushings disposed in grooves around the outer circumference of a tube or barrel of an adapter for mounting a camera to a microscope. The device of Fig. 7 Nomura is inserted into a tube or barrel of the ocular section of the microscope. It would have been obvious to one of ordinary skill in the art, at the time of applicant's invention, to provide the lens barrel of the Prior Art device shown in Fig. 11 of Nomura et al. with two bushings and grooves in order to obtain the desirable features a non-slip engagement of the barrels and a dust/moisture resistant structure for the image sensor.

7. Claims 2, 8, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwasa, as applied above, in view of Nomura et al.

Iwasa shows the claimed invention, as explained above, except for grooves for the bushings 1a-1c. Figs 6 and 7 of Nomura et al. discloses that it is typical to provide grooves for bushing like members. It would have been obvious to one of ordinary skill in the art to provide

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grooves for the bushings 1a-1c in order to obtain secure attachment of the projections to the lens barrel and to avoid the shortcomings of injection molding.

Allowable Subject Matter

8. Claims 4, 10 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Oath/Declaration

9. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

it fails to indicate the relationship between this application and the parent applications 10/703,957 and 10/457,625. This application is a continuation-in-part of both said applications.

Specification

10. The amendment to paragraph 0001 of the specification is objected to because it fails to indicate the relationship of this application to applications 10/457,625 and 10/703,957, and fails to indicate the patent numbers of applications 10/457,625 and 10/703,957.

Telephone Numbers

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (571) 272-2126. The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached at 571-272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



William B. Perkey
Primary Examiner
Art Unit 2851

WBP:wbp
March 21, 2007



FIRST NAMED INVENTOR: Joseph J. Spryshak, et al.
TITLE: O-Ring Camera Lens Attached For High Precision
Axial Alignment, Adjustable Focal Length, and
Permanent Position

ATTY. DOCKET NO.: 65858-0027

1/4

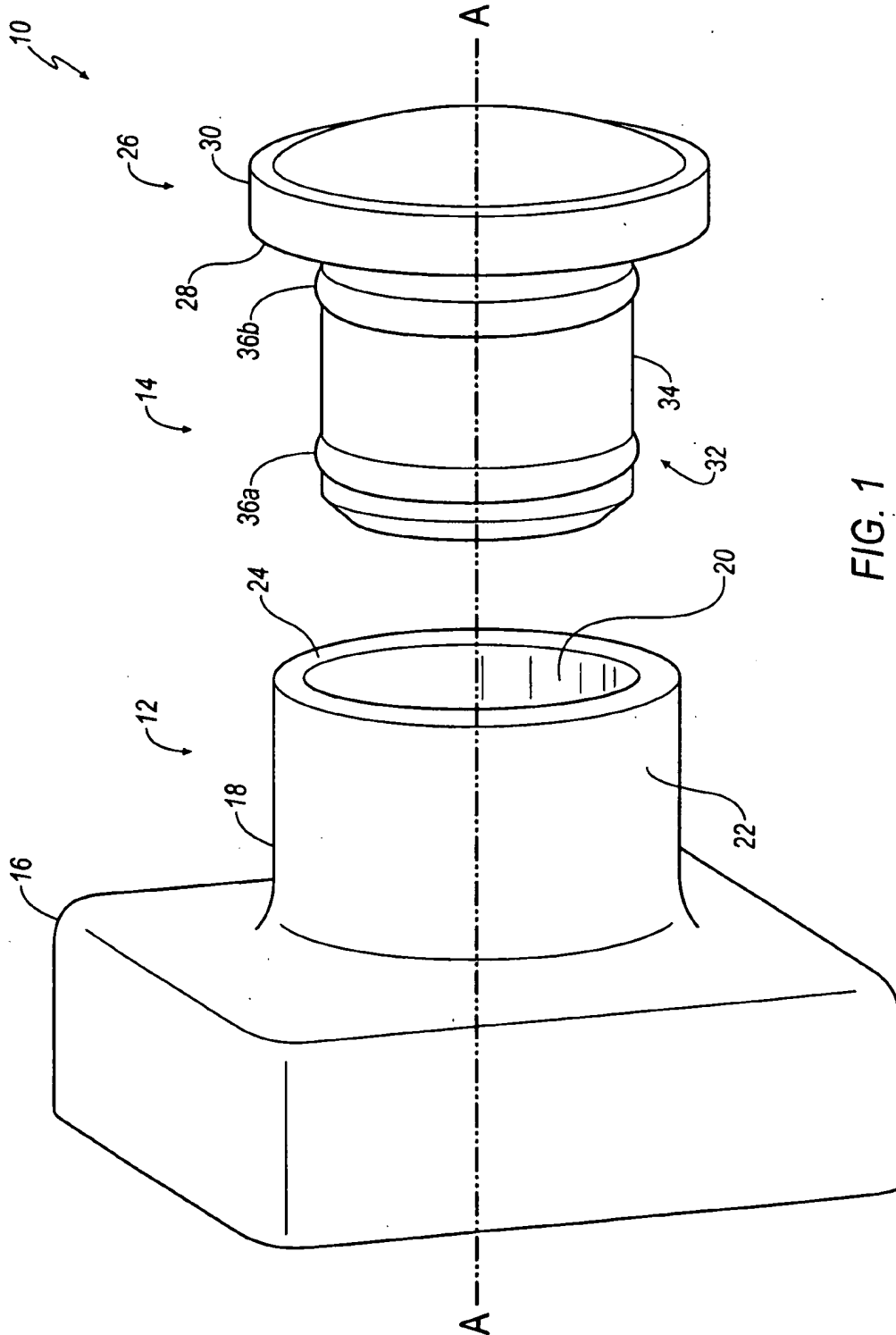


FIG. 1

all
4 sheets approved
9/8/07
03/21/07